

Minutes of the Meeting of the
Arizona Game and Fish Commission
Saturday, December 9, 2006 – 8:00 a.m.
Embassy Suites
2577 W. Greenway Road
Phoenix, Arizona 85023

PRESENT: (Commission)

Chairman Joe Melton
Commissioner Michael M. Golightly
Commissioner William H. McLean
Commissioner Robert Hernbrode
Commissioner Jennifer L. Martin

(Director's Staff)

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Shelley Cutts

Chairman Melton called the meeting to order at 8:05 a.m. The Commissioners introduced themselves and Chairman Melton introduced the Director and the Director's staff. This meeting followed an agenda dated November 20, 2006.

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Awards and Commissioning of Officers

Director Shroufe presented two awards to the Honorable Judge Lex Anderson. One was the Department's Award of Excellence and the other was on behalf of the National Association of State Boating Law Administrators (NASBLA), the NASBLA Public Service Award. Judge Anderson was present to receive the awards. The awards were for Judge Anderson's devotion and efforts to boating safety and progressive operating under the influence abatement, and for his significant contributions to boating safety at the State level.

Director Shroufe presented Steve Thomas, the Environmental Program Manager for the Arizona Division Office of the Federal Highway Administration, with the Department's Award of Excellence for his outstanding contributions to wildlife management in his approach to underscoring the need to better address wildlife and connectivity needs in roadway planning and development in Arizona. Mr. Thomas was present to receive the award.

Dave Laird, President of Arizona Antelope Foundation, presented two Department employees, Jim deVos, Former Research Branch Chief (recently retired) and Richard Ockenfels, Research Program Supervisor, with the Arizona Antelope Foundation Annual Conservation Award. Mr. deVos and Mr. Ockenfels were present to receive the awards. The awards were for contributions in the research of pronghorn antelope which resulted in significant increases in understanding pronghorn and an increase in the population of the species.

Director Shroufe recognized Bruce Taubert, the Department's Assistant Director of Wildlife Management, as he is retiring and this will be his last attendance to a Commission meeting. Bob Broscheid, Habitat Branch Chief, has been promoted to fill Mr. Taubert's vacated position, Josh Avey, Director's Office Executive Staff Assistant and Ombudsman, has been promoted to Habitat Branch Chief, and Marty Fabritz has been promoted to the Director's Office Executive Staff Assistant and Ombudsman position.

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1. State and Federal Legislation**Presenter:** Anthony Guiles, Legislative Liaison

Mr. Guiles presented the Commission with a list of the 48th Legislature which included new members from the recent elections. The handout included the new leadership in both the Senate and House and a list of new committee chairmen. A Power Point presentation was then provided on the Department's recommendation for Off-Highway Vehicle (OHV) legislation. The Department has been working towards OHV legislation for the past several years with the OHV Legislative Workgroup, which consists of OHV user groups, and multiple state and federal agencies. Key issues addressed by the Workgroup to be included in any proposed legislation were:

- Create grants and agreements that promote statewide maintenance of OHV riding and management opportunities
- Creation of high-use riding opportunities where appropriate
- Increase information, education and outreach efforts to the public
- Allow funding for environmental assessments and cultural resource clearances of OHV projects as well as OHV damage mitigation
- Clarify laws and regulations which enhance enforceability and promote responsible OHV use and rider safety
- Strengthen regulatory statutes to enhance protection of fish, wildlife, cultural, personal property and natural resources
- Provide additional resources for law enforcement efforts for counties and state.

The Commission was provided with historical data on OHV use, current and proposed revenue and funding, including proposed allotments to participating Arizona state agencies-Game and Fish, State Land, State Parks, and Motor Vehicle Division, and information on public survey results (the Commission was provided with copies of public comments from the survey). The Department proposed two recommendations. The first was as follows:

- Repeal OHV gas tax (55/100 of one per cent)
- No loss in existing revenue for state agencies
- Eliminate vehicle license tax (VLT) for OHVs and implement an annual flat registration fee
- OHVs defined as: ATC (3wheelers, dirt bikes), ATV (quads), UTV (utility vehicles: Rhinos, Rangers)
- Maintain the title plate required pursuant to A.R.S. § 28-2512
- OHV registration would allow for travel on all streets and highways provided all other legal requirements are met.

The second recommendation was the same except it would maintain the existing OHV Recreational Fund (gas tax).

Commissioner McLean noted that in the defining of OHVs, a component missing was a vehicle type that has a significant amount of modification so that it becomes usable only in an OHV situation.

Mr. Guiles stated that it has not yet been determined on how to categorize that type of vehicle. It is being looked at to determine how to avoid creating a loophole for that type of vehicle owner to get around paying regular vehicle registration fees and only pay a minimum OHV annual flat fee of \$20.00. A weight requirement, as used by other states, is being looked at. There will be further discussions with the Motor Vehicle Division to find a way to include this group into the program.

Commissioner McLean asked if the proposal allowed for the Department to expand its Law Enforcement resources.

Mr. Senn, Assistant Director, Field Operations Division, addressed the Commission stating that the revenue amount for the Department would be approximately 2 million per year, so it would double the current six FTE allocations giving the Department the equivalent of twelve FTEs statewide.

The Commission further discussed this proposed legislation including whether it would have sufficient user support and support from the participating state agencies, the timing of the legislation, and whether there may be other similar proposed legislation.

Commissioner Golightly stated that he agreed with the proposed legislation, but that the Department should not be the one to take the lead.

Chairman Melton stated that OHV issues needed to be resolved and that the Department needed to be involved. Chairman Melton did not agree with the split of the revenues considering that the Department will carry the burden of Law Enforcement.

The Commission gave a consensus for the Department to move forward carefully with this legislation by continuing to work with the user groups and the Legislature to see what kind of support there might be, and to watch for other similar legislative proposals that might come forward.

Commissioner Martin requested that the Department better define grants and agreements in regards to habitat restoration and the creation of new areas and not have it be so broad.

Public Comment

Jon Fugate, Yuma Valley Rod and Gun Club (YVRGC), addressed the Commission in support of the Department's proposed legislation and also suggested that some of the allocations for the grants and agreements be moved and added to the Law Enforcement portion.

Commissioner McLean asked if Mr. Fugate if that would include local Law Enforcement, to which Mr. Fugate stated that it would.

Commissioner Hernbrode supported the idea of utilizing local Law Enforcement.

Hank Rogers from Eagar, Arizona, an OHV user and participant in the OHV Workgroup, addressed the Commission in support of the legislation.

Hays Gilstrap, Board Member of Arizona Sportsmen for Wildlife (and former Game and Fish Commissioner), addressed the Commission in support of OHV legislation and hopes to work with the Department on a bill and not have competing proposed legislations.

Stephanie Nicols-Young, Animal Defense League of Arizona, addressed the Commission in support of OHV legislation; however Ms. Nichols-Young had some concerns regarding the allotment of funds with other agencies, concerns regarding the composition of an oversight committee, and further stated that the Department should take the lead on this because expertise on habitat issues and restoration is important.

Commissioner Hernbrode requested that the Department work with the newly elected congressional representative from the southeast region and continue to work on the Las Cienegas Enhancement Act.

The Commission discussed the appointment of two Commission members to be Legislative Liaisons for the Commission, who would be involved and able to make immediate decisions for the Commission, if necessary, and would be able to testify on behalf of the Commission. Commissioners Golightly and McLean volunteered and were appointed by Chairman Melton. The Commission was in consensus.

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Meeting recessed for a break at 9:33 a.m.

Meeting reconvened at 9:48 a.m.

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2. An Update on Current Issues, Planning Efforts, and Proposed Projects on All Lands in Arizona and Other Matters Related Thereto

Presenter: Bob Broscheid, Habitat Branch Chief

A copy of the Lands Update report was provided to the Commission prior to today's meeting and is included as part of these minutes. The update addressed decisions or activities since the October 2006 Commission meeting. This update is in fulfillment of the Department's commitment to brief the Commission on a regular basis regarding decisions and actions on all state and federal lands in Arizona.

Mr. Broscheid briefed the Commission on two additional updates. First the Lake Havasu Resource Management Plan was finalized and a decision was issued. Several environmental groups have filed a protest to the BLM National Director on the RMP and the final Environmental Impact Statement claiming that the RMP does not provide adequate protection for areas managed for wilderness characteristics and is not consistent with direction, and it does not adequately address impacts from OHV use. BLM is reviewing the protest and will be responding.

The second update was in regards to the status of the Department and BLM's Memorandum of Understanding (MOU) regarding future cooperation and coordination. There were some minor issues with the MOU and a meeting is scheduled next week to work through those issues. Hopefully, a draft will be completed at that time and sent to the Attorney General's and Solicitor's Office for their review. BLM is expected to send the MOU to the Solicitor's Office as soon as possible, but their response could take some time.

Chairman Melton commented on mountain lion depredation of bighorn sheep on the Kofa Wildlife Refuge. The sheep population numbers are down to half of management objectives.

Director Shroufe stated that the Department is working with the Kofa Wildlife Refuge on water and depredation issues, as well as hopefully having the ability to hunt lions there next year. The Commission will also have the option to increase lion take in that area at the April Commission meeting.

Public Comment

Jon Fugate, YVRGC, thanked the Habitat Branch for their work with BLM on their Resource Management Plans, and also suggested that the Commission look at the MOU before it goes to the Solitor's Office. Also, in regards to mountain lions, Mr. Fugate supported protecting the bighorn sheep population by increasing lion hunting in that area.

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3. Request for the Commission to Approve an Intergovernmental Agreement with the Town of Marana for the Purpose of Continued Development of a Habitat Conservation Plan

Presenter: Bob Broscheid, Habitat Branch Chief

The Arizona Game and Fish Commission and the Town of Marana applied for and received approval of a Phase II Assistance Grant from the U.S. Fish and Wildlife Service Section 6 Cooperative Endangered Species Conservation Fund for Habitat Conservation Planning purposes. This Agreement is required to formalize a partnership to develop a Habitat Conservation Plan (HCP) for the Town of Marana Planning area. The planning area includes over 75,000 acres within the incorporated areas.

The Town of Marana is committing to implement certain actions that will minimize and mitigate the impacts of any take of at least six wildlife species that could occur as a result of planned urban development, and associated capital improvement projects in the Town over the next 25 years. The HCP will provide a framework for cooperation among participating organizations, agencies, and landowners to guide restoration and management activities for listed and sensitive species in the planning area. In accordance with the agreement, the Town will develop a Draft Habitat Conservation Plan, and provide the Department with invoices for expenses incurred during the development of these documents. The Department will provide advice and technical assistance during the planning process, and will reimburse the Town of Marana for eligible expenses identified in the agreement.

Motion: McLean moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF MARANA FOR THE PURPOSE OF CONTINUED DEVELOPMENT OF A HABITAT CONSERVATION PLAN, AND EXECUTE THE AGREEMENT AS ATTACHED OR AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous

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4. Request for the Commission to Authorize the Department to enter into a Memorandum of Understanding to Facilitate Allowing Gila River Lake, LLC, to Mine Sand and Gravel from Commission Owned and/or Managed Lands for a Period of Twenty Years, in Return for the Transfer of Lands of Equal Monetary and Wildlife Value to the Commission in Fee Simple, and Complete Habitat Restoration of the Mined Property at Termination of Mining Activities.

Presenter: Bob Broscheid, Habitat Branch Chief

The Arizona Game and Fish Commission (Commission) has been approached by Gila River Lake, LLC. (Company) who is interested in expanding their existing sand and gravel mining operation onto Commission deeded property and PLO 1015 lands managed by the Commission under a 1954 Cooperative Agreement with the United States Fish and Wildlife Service. The properties are southeast of the Town of Buckeye between Miller and Dean Roads. The Company wishes to mine the land for a period of 20 years. Upon termination of mining activities, the Company will restore and enhance the wildlife habitat values of the mined property as required by the Commission in advance. Restoration would include the creation of a lake on the property that will be designed with Arizona Game and Fish Department (Department) input to increase and improve available aquatic habitat in the area to attract migratory birds and waterfowl.

To wholly replace potential loss of wildlife habitat during the mining operation, the Company will acquire and transfer to the Commission, in perpetuity, lands of equal or greater wildlife habitat value. These lands will be selected by the Department and will contain all (or more) of the wildlife habitat values of the land that will be temporarily lost.

The Company will pay a pre-determined per acre sum, as agreed by the Department, into a Restoration Fund to help insure success of the restoration activities, as previously defined in a Restoration Plan. The Company will also pay a pre-determined annual fee (for each year that mining occurs) into a Maintenance Fund, to be used at the direction of the Department for maintenance of the restored areas.

The Commission will eventually benefit from complete habitat restoration of the currently owned and/or managed lands to be mined, as well as receive additional properties of equal area and wildlife value. Ultimately, the Commission would double its wildlife and recreational habitat values in the area. This Memorandum of Understanding will act as an umbrella document for associated, more detailed cooperative agreements to be presented to the Commission as they materialize. Mr. Broscheid provided the Commission with maps of the areas for review and a draft MOU.

The Commission discussed and provided direction to the Department to enter into discussions with Gila River Lake, LLC and develop a Memorandum of Understanding (MOU) or other agreement that would facilitate allowing Gila River Lake, LLC, to Mine Sand and Gravel from Commission owned and/or managed lands for a period of approximately twenty years, in return for the transfer of lands of equal monetary and wildlife value to the Commission in fee simple, and complete habitat restoration of the mined property at termination of mining activities, and to bring back an MOU for Commission consideration and approval.

Commissioner Golightly requested also that all options be investigated including posting a bond for completion cleanup, paying into a joint account, check into royalties in lieu of exchanging properties, and basically stiffen up the agreement.

Commissioner Hernbrode expressed concern for a long term commitment and also that there should be more partners involved from both the public and private sectors, and that the funding be built into the agreement from the beginning.

Public Comment

Michael Anable, Gila River Lake, LLC, addressed the Commission in support of developing this MOU with the Department.

Commissioner McLean suggested that the Department bring in environmental groups on this so they don't feel blind-sighted.

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5. Statewide Shooting Range Briefing

Presenter: Ty Gray, Education Branch Chief

The Commission was provided with an update prior to this meeting of Department activities related to shooting range support and development statewide. The update covered activities that occurred since the October 2006 Commission meeting. The statewide shooting range briefing is part of the Department's ongoing commitment to provide the Commission with updates on statewide shooting range development and shooting sports in general.

Using a Power Point presentation, Mr. Gray provided the Commission with an additional update on improvements at the Ben Avery Clay Target Center, the Rio Salado Sportsman's Club Utery Mountain Shooting Range, and the status of the Northern Arizona Range.

Commissioner Golightly requested that Mr. Gray continue to provide slide presentations with pictures on shooting range status, and to keep the Northern Arizona Shooting Range Progress Chart updated and provided to the Commission on a monthly basis prior to Commission meetings. Additionally, Commissioner Golightly requested onsite and aerial pictures of the Northern Arizona Shooting Range to be included in Commission meeting update presentations.

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6. Wildlife 2012: The Arizona Game and Fish Department's Strategic Plan for the Years 2007 – 2012

Presenter: Bruce Taubert, Assistant Director, Wildlife Management Division

During the October 21, 2006 Commission meeting the Department provided an update on the development of the Department's Wildlife 2012 Strategic Plan. The Department also provided the Commission with a synopsis of comments received and recommended actions for the comments. The Department made the changes suggested by the Commission to the plan and released the second draft of the Wildlife 2012 plan on November 6, 2006.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE THE DEPARTMENT'S WILDLIFE 2012 STRATEGIC PLAN FOR THE YEARS 2007 THROUGH 2012.

Commissioner Hernbrode stated that there are some gaps that need to be covered in the operational plans that will be developed to support the Strategic Plan, such as an educational plan.

Vote: Unanimous

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7. Interagency Service Agreement (ISA) Between The Arizona Game and Fish Department and The Arizona Department of Transportation to Provide for a Vehicle Maintenance Facility

Presenter: Mark Weise, Development Branch Chief

As previously presented to the Commission at its October meeting, the Department has been working with ADOT Equipment Services (EQS) section to provide fleet repair, maintenance and management services at the vehicle maintenance facility that will be part of its new Headquarters complex. As a result, the Department desires to enter into an Interagency Service Agreement (ISA) with EQS to establish these services. Some modifications have been made to the agreement presented in October relating to the definition of key terms and clarification of how reimbursements to the Department for facility maintenance and utilities will be calculated.

Commissioner McLean clarified that the facility will not be turned into a general ADOT maintenance yard. It will be a Game and Fish facility that uses ADOT expertise to manage it.

Motion: McLean moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE REVISED INTER-SERVICE AGREEMENT (ISA) BETWEEN THE ARIZONA GAME AND FISH DEPARTMENT AND THE ARIZONA DEPARTMENT OF TRANSPORTATION TO PROVIDE FOR A VEHICLE MAINTENANCE FACILITY AT THE DEPARTMENT'S NEW HEADQUARTERS COMPLEX SUBJECT TO FINAL REVIEW AND APPROVAL BY THE ATTORNEY GENERAL'S OFFICE.

Vote: Unanimous

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8. Automated License Systems (ALS) Current Status of Problem Resolution from the 2006 Fall Draw

Presenter: Harry Seck, Information Systems Branch Chief

Using a Power Point presentation, Mr. Seck briefed the Commission on the status of direction given to the Department at the November 2006 Commission meeting. The Department was directed to work with ALS to provide online sales of 2007 licenses and an online application for the 2007 Winter elk and antelope draw. As part of the direction the Department must coordinate and test the various processes to insure an error free online application. Since that time the Department has been working with ALS to correct the errors in the previous online license sale and application process and test the entire process. The Department has also agreed to liquidated damages from ALS in the amount of \$198,500.65 and received the first payment of \$99,250 on December 1, 2006. The second and final installment is due on or before February 1, 2007. The contract amendment, strengthening the data and integrity in various performance requirements, is in the final stages of approval and should be approved next week. Efforts are continuing on the IPOS with WalMart; however, there is some difficulty getting WalMart to return phone calls.

Jimmy Wilson, with ALS was present to answer any questions the Commission might have.

Mr. Seck further briefed the Commission on information upgrades and processing changes made by ALS and the Department, and the system testing that has taken place so far.

Motion: Golightly moved and McLean seconded THAT THE COMMISSION VOTE TO CONTINUE TESTING FOR ONLINE APPLICATIONS, PREPARE FOR THE FIRST-COME FIRST-SERVE, ALTHOUGH THERE MAY NOT BE ANY LEFT OVER TAGS FOR ELK AND ANTELOPE, COMPLETE ALL TESTING BY THE TARGET DATE OF DECEMBER 22, 2006 AND HAVE THE ONLINE APPLICATION AVAILABLE FOR ELK AND ANTELOPE DRAW.

Vote: Unanimous

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Meeting recessed for a break at 11:12 a.m.

Meeting reconvened at 11:25 a.m.

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9. Consideration of Proposed Commission Orders 3, 4, and 26 for 2007 Hunting Season.

Presenter: Leonard L. Ordway, Game Branch Chief

Mr. Ordway introduced Department staff who were present to assist with any potential questions: Brian Wakeling, Big Game Supervisor, Amber Munig, Wildlife Specialist, and Game Specialists Rick Langley, Tim Holt, Erin Riddering, Jim Hefflefinger, and Jon Hanna. Mr. Ordway provided a Power Point presentation and briefed the Commission on Department rational using charts and graphs for determining Department recommendations on Commission Orders 3

(pronghorn antelope), 4 (elk), and 26 (population management hunts) for establishing seasons and season dates, bag and possession limits, permit numbers or authorized limits, and open areas for the respective 2007 fall hunting season. A detailed description of all proposals was available for public review at all Department offices and was provided at this meeting.

At the December 2005 meeting, the Commission approved a two-year hunt guideline package under which hunt structures and recommendations would be formulated. The Department sought public input on these guidelines between January and March 2006, and received input from 601 meeting attendees and over 300 written responses, which were shared with the Commission at the April 2006 meeting. Amendments to the guidelines were incorporated based on Commission direction at the April meeting. Per Commission direction, these guidelines will be used through 2008 spring seasons.

The Department will next take proposed guidelines to the public for comment in early summer 2007 and will provide a recommended guideline package to the Commission in August 2007 for their review and approval. These guidelines will then be used to formulate hunt recommendations from fall 2008 through spring 2010. The Commission was provided with copies of the current Commission approved hunt guidelines for pronghorn antelope and elk.

Following are the Department's recommendations for:

Commission Order 3 – Pronghorn Antelope (The Commission was provided with copies of the proposed hunt season structure and permit numbers for unit by unit details).

The general season permits were recommended to increase by 16 from last year for a total recommendation of 471 permits. The archery recommendation was 395 permits, which was no change from last year. The muzzleloader seasons were recommended for 98 permits, a decrease of 5 permits from last year.

The Commission was provided with the current Statewide Pronghorn Operational Plan as a reference. This plan was reviewed and accepted by the Commission at their April 2006 meeting, and the hunt recommendation package is in alignment with the plan. Review and update of the plan are being initiated with the intent of incorporating this planning element into the new Department Operational Plan structure to be finalized by July 2007.

The Department received no substantial feedback from the public regarding the pronghorn hunt structures since the last hunt guideline and recommendation process.

Mr. Ordway noted a change to the proposed hunt season structure and permit numbers with unit by unit details from what was originally provided to the Commission. The change was to the military season dates as follows: The Camp Navajo dates for archery buck antelope is from August 24 to September 6 (not September 13) and there will be 4 military and 0 civilian tags.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 3 – PRONGHORN ANTELOPE AS PROPOSED.

Two unidentified members of the public in the audience expressed approval for the antelope hunt recommendations.

Vote: Unanimous

Commission Order 4 – Elk (The Commission was provided with copies of the proposed hunt season structure and permit numbers for unit by unit detail).

Elk harvest was recommended to allow limited population growth in some areas in conjunction with the Regional Elk Operational Plans, otherwise populations will be held stable in relationship with current environmental conditions. Also, the recommendation package will allow for bull to cow ratios to meet or move toward approved management guidelines. General season permits were recommended at 15,310 permits, an increase of 615 permits from last year (the change comprised an increase of 620 bull elk permits and a reduction of 5 antlerless elk permits from last year). Juniors antlerless elk permit opportunities were increased by 40 to 1,185 permits (5.3% of opportunity), and archery elk permits were recommended to decrease by 1,375 to 4,864 (this decrease is primarily related to shifting antlerless elk opportunity to the general season in accordance with demand; the change comprised an increase of 110 bull elk permits and a reduction of 1,485 antlerless elk permits from last year). Muzzleloader permit opportunities were recommended to increase by 45 permits to 1,163 (the change comprised a decrease of 30 bull elk permits and an increase of 75 antlerless elk permits from last year). And finally it was recommended that CHAMP hunters retain the 10 antlerless elk permits allocated to this season type.

The elk permit recommendations were developed in accordance with Commission direction. First, the Commission directed the Department to find opportunities to allow for elk population growth where consistent with habitat conditions. The Department recommended reductions in antlerless harvest to accommodate herd growth where possible. Second, the Commission directed the Department to implement findings from the Hunter Recruitment and Retention Report to address hunter permit demand. To do so, the Department recommended continued allocation of permits by weapon type using the Commission approved weapons allocation formula, although this year the formula was applied to bull and antlerless segments separately rather than in the conglomerate as has been done in the past. Bull and antlerless elk harvests were allocated by gender and weapon type using five-year averages of first-choice application demand and five-year averages of hunt success by weapon type; limited opportunity hunts were excluded from this allocation determination. And finally, the Commission directed the Department to allocate at least 5% of the total available elk permits as antlerless elk permits to juniors-only seasons to address hunter recruitment goals. The permit allocation in this package for juniors-only antlerless elk permits represented 5.3% of the total recommended elk permits.

Not including limited opportunity or juniors-only hunts, the targeted and recommended allocations for bull and antlerless elk permits were as follows:

Bull Elk:	<u>Target</u>	<u>Recommended</u>
	68% general	68% general
	27% archery	27% archery
	5% muzzleloader	5% muzzleloader
Antlerless Elk:	<u>Target</u>	<u>Recommended</u>

77% general	75% general
17% archery	19% archery
6% muzzleloader	6% muzzleloader

The recommended allocation for bull elk permits matched the target. However, the recommended allocation for antlerless elk permits represented a slight deviation from target but was necessary due to single year permit adjustment logistics at the unit level. The Department will continue to use the allocation formula to closely approximate hunter demand.

Limited opportunity seasons were recommended for a decrease of 80 permits for the general season and an increase of 10 permits for the archery season, yielding 1,457 and 205 permits, respectively. No muzzleloader limited opportunity elk hunts were recommended.

The hunt recommendation package was coordinated with land management agencies, local habitat partnership committees, and the Forage Resource Study Group. The general, muzzleloader, archery, and juniors-only permit allocations were adjusted to address the allocation targets as noted above. Permits for bull and antlerless harvest were managed to meet management guidelines for bull to cow ratios and forage use as noted in the hunt guidelines and the Regional Elk Operational Plan.

The Commission was provided with the current Regional Elk Operational Plan as reference. This plan was reviewed and accepted by the Commission at their April 2006 meeting, and the hunt recommendation package was in alignment with it. Review and update of the plan are being initiated with the intent of incorporating this planning element into the new Department Operation Plan structure to be finalized by July 2007.

The only substantial public input received regarding elk hunts since the last public guideline and recommendation process was that the early general bull hunts were scheduled too late to take full advantage of prime rutting behavior or bugling activity. As such, the proposed package deviates from Commission approved guidelines by adjusting the early bull hunts (general, archery and muzzleloader) one week earlier to address public desire relative to the prime elk rut hunt opportunities.

Mr. Ordway noted a change to the proposed hunt season structure and permit numbers with unit by unit details from what was originally provided to the Commission. The limited hunt opportunity labeled 3A West and 4B North received a name change to 3A West and 4B Dry Lake, that is specifically targeting a limited opportunity area. Also, the new limited opportunity labeled 4B North has a new boundary description within the notes. The Unit 21 muzzleloader bull elk season had the incorrect dates and was corrected. The correct dates are September 28 to October 4. The military hunts are correct except for two hunts: Under archery any elk, the correct dates are August 30 to September 6 (not September 13), and the archery antlerless is August 30 to September 6.

Public Comment

David Sipe, representing himself, stated opposition to using the pie allocation method differently this year and suggested deferring this change for further consideration, specifically for archery

elk (reduction in 1375 tags), and also suggested considering second choices instead of just the first choice.

Chris Agnew, representing himself, stated opposition to the elk recommendation and proposed forming a committee made up of 4 sportsman, 2 Commissioners, 2 Department employees and 8-10 Arizona residents to study and propose changes to the tag allocation process and the draw system.

Nick Heatwole, YVRGC, supported pronghorn and population management hunts, but opposed the elk recommendation, and further requested tabling this change for one year until it can be discussed further.

Randy Spray, Arizona Bowhunters Association, stated opposition to the new pie allocation concept.

Garth Carter, President of Carter Hunter Service from southern Utah, addressed the Commission and recommended that the Commission limit the number of potential nonresident tags in the 20% draw to 50% of the potential nonresident tags so there will be potential opportunity for a nonresident applicant in the regular draw to draw a tag. This would validate paying the price for a nonresident hunting license. Currently, nonresident applicants that do not have maximum points do not have a chance to draw what are considered premium hunts as the 10% nonresident cap is generally attained during the 20% maximum bonus point pass part of the draw.

John Koloszar, Arizona Elk Society (AES), read a statement from the AES Board of Directors in overall support of the elk hunt recommendations; however, they opposed the all at once reduction in tags for archery elk and suggested a gradual reduction to reach the recommended allocation targets.

Dick King, Arizona Bowhunters Association, stated opposition to the new allocation formula, especially as it relates to archery antlerless elk and suggested tabling it for this year and to work on it for next year.

Mr. Ordway noted a minor season date overlap for a couple of the limited opportunity elk hunts that would be rectified before the end of this meeting.

Motion: McLean moved and Golightly seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 4 – ELK AS PROPOSED SUBJECT TO A MINOR DATE CORRECTION AS NECESSARY BEFORE THE END OF TODAY’S MEETING.

Commissioner McLean stated that the Commission has had an opportunity to review and discuss with Department staff the issues related to the new pie allocation formula. Archery hunters have stated in the past that they prefer quality hunts over quantity hunts and the Commission has accommodated that. Archers are not being penalized by this formula. This formula corrects a penalty to general antlerless elk hunters that they have endured for a number of years.

Vote: Aye - Golightly, McLean, Martin
Nay - Hernbrode, Melton
Passed 3 to 2

(Note: Later in this meeting, Mr. Ordway noted the following changes in regards to Commission Order 4 – Elk; the limited opportunity any elk hunt in Unit 4B North, the season date was changed from August 1 through September 20 to August 1 through September 13; the limited opportunity any elk hunt in 2B listed as September 14-23 will be changed to a season date of August 24 to September 6; the limited opportunity antlerless elk in Unit 4B North listed as August 1 to September 20 will be changed to end on September 13; and the antlerless elk hunt in Unit 2B listed as September 14-23 will be changed to August 24 to September 6.)

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10. Call to the Public

Robin Silver, Center for Biological Diversity and Maricopa Audubon, addressed the Commission regarding the Desert Nesting Bald Eagle and recommended that the Commission withdraw their support for the delisting of the Desert Nesting Bald Eagle by the U.S. Fish and Wildlife Service. Mr. Silver stated that the U.S. Fish and Wildlife Service have inadequately studied and inadequately represented the Desert Nesting Bald Eagle population.

John Koleszar, representing himself, requested that the Commission reconsider the concept of the Conservation Bonus Point. Groups have discussed and streamlined some of the items that caused issues the last time it was considered. Mr. Koleszar requested that it this be on the next Commission meeting agenda.

Dick King, addressed the Commission again to oppose the new pie allocation formula stating that the discussions last year regarding quality versus quantity archery hunts were a totally different subjects to the objections discussed this year regarding the new pie allocation formula.

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Meeting recessed for a break at 1:09 p.m.

Meeting reconvened at 1:22 p.m.

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11. Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431.03 (A)(3) and (4) for the purpose of discussion and consultation with legal counsel.

Motion: Hernbrode moved and Martin seconded THAT THE COMMISSION GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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12. Litigation Report

The Commission was provided with the monthly Litigation Report prior to this meeting for review. This item was not addressed.

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13. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

Presenter: Pat Barber, Law Enforcement Branch Chief

Record of these proceedings is maintained in a separate minutes book in the Director's Office.

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14. Rehearing Request Regarding Previous License Revocation/Civil Assessment

Presenter: Pat Barber, Law Enforcement Branch Chief

Mr. Richard D. Murphy, Jr., requested that the Arizona Game and Fish Commission grant a rehearing regarding the action taken on August 11, 2006, revoking his licenses to hunt, fish, and trap for a period of five (5) years and further requiring that he complete a Hunter Education course before obtaining any license in the State of Arizona.

On the 20th Day of October, 2005, Richard D. Murphy, Jr., was convicted in the Williams Justice Court for: Shoot from a vehicle, Take wildlife at night (rabbit), Take wildlife with artificial light (rabbit), and Littering while hunting. On August 11, 2006, the Commission revoked Mr. Murphy's hunting, fishing, and trapping licenses for a period of five (5) years, and further required him to complete a Hunter Education Course before obtaining any license(s) to take wildlife in the State of Arizona. Mr. Murphy requested a rehearing of this matter and decision and was notified by certified mail.

Mr. Murphy, Jr. was present and addressed the Commission stating that he knows what he did was wrong, but felt that the revocation period was excessive since he did not take big game. Additionally, others involved were not brought before the Commission.

Commissioner Golightly stated that he originally voted nay believing that the revocation period in this case was excessive.

Motion: Golightly moved THAT THE COMMISSION VOTE TO GRANT A REHEARING IN THIS MATTER.

Motion died for lack of second.

Motion: Martin moved and McLean seconded THAT THE COMMISSION VOTE TO DENY MR. MURPHY'S REQUEST FOR A REHEARING.

Vote: Aye - McLean, Hernbrode, Martin
Nay - Melton, Golightly

Passed 3 to 2

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9. (Continued) Consideration of Proposed Commission Orders 3, 4, and 26 for 2007 Hunting Season.

Presenter: Leonard L. Ordway, Game Branch Chief

Mr. Ordway noted the following changes: In the original packet provided to the Commission the population management "companion tags" were listed for population management hunts in Units 12A East and 12A West. Those will not be recommended until the applicable deer season structure is considered in April 2007 and at that time they will be considered and reviewed with the Commission. Also, in regards to Commission Order 4 – Elk, which was voted on earlier, the limited opportunity any elk hunt in Unit 4B North, the season date was changed from August 1 through September 20 to August 1 through September 13; the limited opportunity any elk hunt in 2B listed as September 14-23 will be changed to a season date of August 24 to September 6; the limited opportunity antlerless elk in Unit 4B North listed as August 1 to September 20 will be changed to end on September 13; and the antlerless elk hunt in Unit 2B listed as September 14-23 will be changed to August 24 to September 6.)

Commission Order 26 – Population Management Seasons

Population management seasons are recommended for implementation in the same units as last year, although all seasons are scheduled to run January 1-December 31, 2007. "Designated elk" is the legal wildlife in each of the population management seasons, excepting those that may be issued to holders of permit tags for other big game seasons, so that the Director may designate the desired legal animal for harvest when the permits are issued. Although the Department recommended that the Commission authorize 1,600 elk (1,265 general, 30 muzzleloader, 25 HAM, and 280 archery-only), 675 javelina (310 general, 250 HAM, and 115 archery-only), 156 buffalo (all general), and 122 bear (68 general, 26 HAM, and 28 archery-only), these tags will not be issued unless approved by the Director following a determination from the population management hunt review and approval process.

No substantive public comments were received regarding Population Management Seasons since the last public process for hunt guidelines and recommendations.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 26 – POPULATION MANAGEMENT SEASONS AS PROPOSED WITH THE EXCEPTION OF CHANGING BEAR IN 35A AND 35B TO ZERO FOR BOTH GENERAL AND ARCHERY.

Commissioner Hernbrode stated that he would rather see problem bears targeted and removed by the Department and not by hunters because hunters don't necessarily take the correct bear.

Chairman Melton stated that he doesn't like to remove the population management hunt tool from the Director.

Vote: Aye - McLean, Hernbrode
Nay - Melton, Golightly, Martin
Failed 3 to 2

Motion: Golightly moved and Melton seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 26 – POPULATION MANAGEMENT SEASONS AS PROPOSED.

Vote: Aye - Melton, Golightly, McLean, Martin
Nay - Hernbrode

* * * * *

11. (Continued) Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431.03 (A)(3) and (4) for the purpose of discussion and consultation with legal counsel.

Motion: Golightly moved and Melton seconded THAT THE COMMISSION GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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15. Request for the Commission to Approve a Cooperative Agreement with Landowners West of the White Tank Mountains to Study Mule Deer Movements in the White Tank Mountains and Surrounding Areas

Presenter: Chantal O'Brien, Research Branch Chief

The Department has been working with the landowners that have planned Sun Valley Development, which encompasses approximately 183 square miles between the White Tank Mountains and the Hassayampa River along the newly constructed Sun Valley Parkway. This development has the potential to sever mule deer movement corridors, effectively isolating the White Tank Mountain mule deer population and increasing the probability of localized extinction. However, through a proactive approach, this development also has a unique opportunity to design high quality residential opportunities (e.g., greenspace views, watchable wildlife areas, hiking trails, etc.) that preserve open space and movement corridors essential for the long-term persistence of the White Tank Mountains mule deer population.

In an effort to maintain connectivity between the White Tank Mountain population and populations to the west, the Department proposed to identify key mule deer movement corridors within the planned Sun Valley Development. This information will be important in planning corridors that allow for sufficient mule deer movements around the White Tank Mountain Regional Park and ensure long-term population viability. Many of the developers have agreed to fund this study, which is the first agreement of its kind between the Commission and developers for maintaining wildlife connectivity.

Motion: McLean moved and Martin seconded THAT THE COMMISSION VOTE TO APPROVE THE AGREEMENT WITH LANDOWNERS WEST OF THE WHITE TANK MOUNTAINS FOR THE PURPOSE OF IDENTIFICATION AND RECOMMENDATION OF MULE DEER MOVEMENT CORRIDORS TO BE PRESERVED, AND EXECUTE THE AGREEMENT AS ATTACHED OR AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous

* * * * *

16. Commission Review of the Department's Mission Statement

Presenter: Steve Ferrell, Deputy Director

The Commission reviewed the Department's mission statement.

Commissioner Martin read a statement by Landis Aden, Arizona State Rifle and Pistol Association (ASRPA), which stated that the ASRPA would strongly support the inclusion of shooting ranges and shooting sports in the mission statement. The mission statement should reflect the attention and resources given by the Department. Either shooting ranges and shooting sports are part of the mission or they are not.

Commissioner Martin suggested adding something to the mission statement following watercraft and off highway vehicle recreation, that would include shooting sports and shooting ranges.

Commissioner Hernbrode stated that he did not agree and would further remove watercraft and off highway vehicle recreation from the mission statement because those things come under the mission statement, for example in the strategic plan, but should not be a part of the mission statement.

After further discussion, the Commission agreed that this item will need further discussion and review.

Motion: Golightly moved and McLean seconded THAT THIS ITEM BE TABLED AND BROUGHT BACK AS A FUTURE AGENDA ITEM.

Vote: Aye - Melton, Golightly, McLean, Hernbrode
Nay - Martin
Passed 4 to 1

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17. Call to the Public

There were no request to speak from the public.

* * * * *

20. Approval of Minutes and Signing of Minutes

Motion: Golightly moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE THE MINUTES FOR OCTOBER 20-21 AND OCTOBER 27, 2006.

Vote: Unanimous

The Commission signed the minutes for October 20-21 and October 27, 2006.

* * * * *

21. Future Agenda Items

Mr. Ferrell captured the following future agenda items/action items:

- Provide the Commission with specific MOU on Gila Lake, LLC proposal of mining sand and gravel from Commission owned lands
- In regards to the Northern Arizona Shooting Range, provide a Commission update monthly on that range prior to the Commission meeting
- Provide the Commission with photos of the Northern Arizona Shooting Range site including aerial photos at a future Commission meeting
- Bring the mission statement back to the Commission at a later date

* * * * *

18. Director's and Chairman's Report

Chairman Melton reported hunting with his grandson.

Director Shroufe reported working with the Governor's Growth Cabinet and hopefully the Department and Commission will see some subjects come out of that, including garnering additional funds for the Department and getting some of the Department/Commission's issues into position statements by the Governor in 2007.

* * * * *

19. Commissioners' Report

Commissioner Hernbrode reported sampling of hunting opportunities in Arizona and attended the first preliminary meeting for the Watchable Wildlife Conference to be held in Tucson in October 2007.

Commissioner McLean also reported sampling hunting in Arizona; worked on issues with the Gila River people; met with the Pinal Partnership on habitat issues.

Commissioner Golightly waived his report.

Commissioner Martin attended part of an Arizona Heritage Alliance meeting; met with a few bass anglers regarding some of their concerns; met with Larry Riley and other Fisheries Branch staff; met with the Governor's staff; and other various Commissioner activities.

* * * * *

11. (Continued) Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431.03 (A)(3) and (4) for the purpose of discussion and consultation with legal counsel.

Motion: McLean moved and Hernbrode seconded THAT THE COMMISSION GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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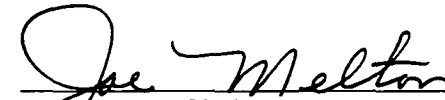
Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO ADJOURN.

Vote: Unanimous

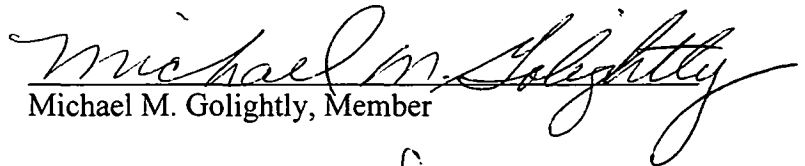
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Meeting adjourned at 5:30 p.m.

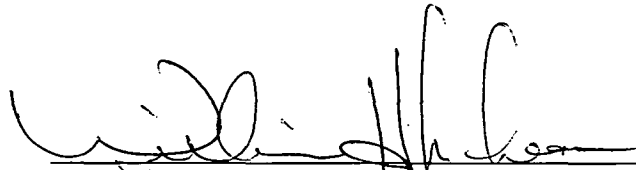
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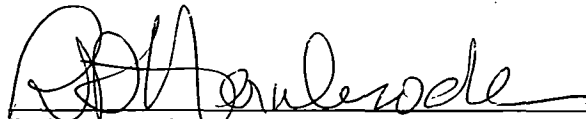
Joe Melton, Chairman



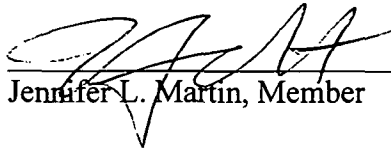
Michael M. Golightly, Member



William H. McLean, Member



Robert Hernbrode, Member



Jennifer L. Martin, Member

ATTEST:



Duane L. Shroufe
Secretary and Director

**Game and Fish Litigation Report
Presented at the Commission Meeting
December 9, 2006**

The Assistant Attorneys General for the Arizona Game and Fish Commission and the Arizona Game and Fish Department are representing these agencies in the following matters in litigation. This report does not include claims and lawsuits for damages against these agencies in which the agencies are represented by Assistant Attorneys General in the Liability Defense Section of the Attorney General's Office.

1. ***State v. Johnson, CV2005-002692.*** On February 14, 2005, the State of Arizona ("State") filed a multi-count complaint against land developer George Johnson and related individuals and entities ("Defendants") alleging that Defendants: (1) bulldozed over 270 acres of State Trust Lands and 2,415 acres of other lands in and near the Ironwood Forest National Monument ("Monument") and the Los Robles Archeological District; (2) irreparably damaged protected archeological sites on State Trust Lands; (3) destroyed thousands of protected native plants; (4) discharged pollutants into waters of the State and altering and damaging watercourses of the State; (5) breached the terms of a State grazing lease; and (6) allowed diseased domestic goats to roam into the habitat of the Silver Bell desert bighorn sheep herd on the Monument, thereby infecting 47 desert bighorn sheep with keratoconjunctivitis and contagious ecthyma and causing the deaths of 21 members of the herd.

Along with the Complaint, the State filed a motion to place the case into Arizona Superior Court's Complex Litigation Pilot Program.

On March 18, 2005, the State filed an amended Complaint wherein the State Land Department added claims for waste and punitive damages.

On March 25, 2005, the Court issued an order designating the case as complex and assigning the matter to Judge Rebecca Albrecht. The parties held a case management conference before Judge Albrecht on May 11, 2005.

On May 23, 2005, Defendants filed motions to dismiss the Commission's negligence per se and unlawful killing of wildlife claims. Defendants did not move to dismiss the Commission's negligence claim. The Attorney General's Office filed responses to Defendants' motions on June 21, 2005. Defendants filed reply briefs in support of their motions to dismiss on July 6, 2005, and the Court heard oral argument on the motions on July 21, 2005.

On August 23, 2005, the Court issued a ruling denying both of Defendants' motions to dismiss. On September 15, 2005, the State filed a Second Amended Complaint at the Court's direction to more fully address the State's basis for asserting personal liability against George Johnson for certain of the State's claims related to trespass, destruction of native plants, damage to archeological sites, and violation of water quality and storm water discharge laws.

On October 13, 2005, Defendants filed a counterclaim for defamation against the Attorney General and the Director of the Department of Environmental Quality arising from statements made to the press about the case. On October 14, 2005, Defendants filed an answer to the State's Second Amended Complaint. As required by Rule 26.1 of the Arizona Rules of Civil Procedure, the parties

will exchange comprehensive disclosure statements regarding the factual and legal basis of the claims in the case on November 10, 2005.

The parties served initial disclosure statements on November 10, 2005, and are working on a proposed case management order. Due to the retirement of Judge Albrecht, the case was transferred to Judge Barton. The defendants filed a notice of change of judge with respect to Judge Barton, and the case has been reassigned to Judge Kenneth L. Fields. Judge Fields has scheduled a status conference for February 13, 2006 to discuss the proposed case management order. The parties held a status conference before the Court on February 27, 2006. The Court ordered the parties to prepare a Joint Case Management Order no later than noon on March 8, 2006. The parties have started the written discovery process, and depositions will commence the second week of May.

The parties held a status conference on June 5, 2006, and filed a Joint Alternative Dispute Resolution Statement with the Court. The parties agreed to mediate this dispute, and have Tom Toone of Beer & Toone to serve as mediator. On August 7, 2006, the parties filed their respective mediation statements. The mediation took place on August 18, 2006, but the parties were not able to resolve the dispute. Following the mediation, the defendants noticed the depositions of several Department employees. These depositions are scheduled to take place between late-September and early-November 2006.

2. *Seibert v. Arizona State Land Department et al.*, CV200601568. On October 6, 2006, Seibert Cattle Co. filed suit seeking a declaratory judgment and injunctive relief against the Arizona State Land Department (ASLD) and other parties to a Memorandum of Agreement (MOA), including Arizona Game and Fish. The MOA provides for the construction of a fence on State Trust Land in area that borders a portion of the Florence Military Reserve. The purpose of the fence is to protect the public from the military training exercises occurring on the military reserve. According to the Plaintiff, the location of the fence interferes with the Plaintiff's grazing leases on State land. The Plaintiff seeks a declaratory judgment that the construction of the fence is a breach of the leases and an injunction against construction of the fence. The only role Game and Fish has under the MOA with respect to the fence is to provide guidance on special features to install to allow wildlife to pass freely. Because the Plaintiff does not allege that Game and Fish has breached the grazing leases or has interfered with the Plaintiff's rights, the Attorney General is filing a motion to dismiss Game and Fish as an improper party.

On November 6, 2006, the court granted the motion to dismiss Game and Fish.

3. *Charles M. Johnson v. Arizona Game and Fish Department*, LC2006-000775. On November 13, 2006, Charles M. Johnson filed a Complaint in Arizona Superior Court appealing the Commission's orders revoking his license privileges for three (3) years, requiring him to complete a hunter education course before obtaining another license to hunt in Arizona, and denying his request for a rehearing. Mr. Johnson filed with his Complaint an Application for Order to Show Cause ("Application") asking the Court to stay his license suspension pending the outcome of the appeal. On November 17, 2006, Game and Fish filed an Opposition to Mr. Johnson's Application. On November 21, 2006, the Court issued a minute entry finding that Mr. Johnson's Application was "neither procedurally appropriate nor substantively adequate" and declining to issue a stay. The parties will hold their first status conference before the Court on January 10, 2007.

Lands Update
For the Arizona Game and Fish Commission
December 9, 2006
Phoenix, Arizona

U.S. FOREST SERVICE

Apache-Sitgreaves National Forests

The Department continues to move forward with the three phases of the Region I Mule Deer Habitat Restoration Project (Chitty Creek, Pigeon Creek and Sheep Wash). Approximately 14,000 acres on Chitty Creek in Game Management Unit 27 will be thinned and burned. The project plan was developed with specific implementation scheduled in September 2006, but was delayed due to heavy summer precipitation. However, treatments in the lower sections of ponderosa pine habitat will begin. The District is concerned about the unfavorable long-term outlook for appropriate dry weather patterns, as even a little additional moisture would make it very difficult to initiate prescribed burning activities. Since only a portion will be done this fall, the Clifton Ranger District prefers to wait until fall 2007 before initiating the Chitty project. Conditions within the project area will continue to be monitored, and the District will treat the Strayhorse block, which consists of 2500 acres at no additional cost.

The Pigeon Creek and Sheep Wash projects are two other phases of the Mule Deer Habitat Restoration Project. The Clifton District is proceeding with NEPA planning activities on the Pigeon Creek restoration project, which involves a prescribed burn on approximately 21,500 acres. The District plans to initiate blacklining activities on the project area in March or April, and complete interior burns in May 2007. The preliminary project implementation timeline is still on schedule; however, the project is also contingent on weather conditions that will allow prescribed fire activities to proceed. The Sheep Wash restoration project, which involves thinning and burning activities in mule deer habitat in the 4 Bar Mesa and Sheep Wash areas, is planned for summer 2007.

Coconino National Forest

The Department continues to work with the Forest on the implementation of SB 1441 funding for Anderson Mesa. The Department met with the ranchers and NRCS to develop the basis for cooperation on project implementation. A comprehensive plan providing the basis for NRCS funding needs to be written. Maps are being developed and contractors are being asked for preliminary cost estimates. Under this project, Coconino Rural Environment Corps crews and other contractors have completed 1097 acres of habitat treatment and have collected 75 pounds of local native seed.

The Department met with the Mogollon Rim Ranger District regarding needed changes to the C. C. Craigin Reservoir boat ramp project. These changes included the alignment of travel management, joint law enforcement priorities, and management of recreation to respond efficiently when impacts to wildlife occur.

The Department continues to participate on the Greater Flagstaff Forest Partnership (GFFP) to analyze the Eastside Fuels Reduction Project. A Record of Decision is expected in late 2006. The Department is assisting the Forest in the planning and development of a cliffrose

rejuvenation project along the alluvial fan of Mount Elden to maintain and enhance important browse species for wildlife. The Department continues to work with the Forest to map and identify areas for fire exclusion, experimental regeneration, and monitoring. Mapping will continue through the fall and local native seed collection will occur in summer 2007. The project implementation should begin in fall 2007.

The Department is also participating with the GFFP to analyze the Jack Smith/Schultz Fuels Reduction Project. The Forest submitted a project initiation letter, and conducted field meetings with the Interdisciplinary Team. The Department identified potential recreational impacts to wildlife habitat within the project area and recommended adding recreation planning to the project analysis. However, the Forest's project initiation letter indicates the scope of this project will only address fuels reduction and forest restoration. The Department will continue to participate on the Peaks Ranger District's ID team meetings this winter, with scoping scheduled to begin in early 2007. The Department has also been assisting the GFFP with a sample/demonstration "partnership mark" on several stands totaling 100 acres within the Mountaineer project area.

The Department met with the Forest, Ecological Restoration Institute, Ecological Monitoring and Assessment (Babbitt Ranches), and Northern Arizona University to review a proposal written by the Forest Service to acquire funding for a native plant program in Arizona. This effort is the first in Northern Arizona that would establish a native plant program that includes wild seed collection, native plant propagation, and overall availability of native species for restoration.

Coronado National Forest

The Department is participating in the Pinalenos Partnership, which is a community group sponsored by the Forest. The mission of the Partnership is to work toward the vision of a healthy forest in the Pinaleno Mountains by researching forest health conditions and defining desired future conditions, educating the public on forest health issues, promoting volunteer stewardship projects and appropriately scaled forest industry, and providing input to the Forest on proposed restoration projects. Attendees at these meetings have included local residents and summer home lessees, and representatives from Native American tribes, local municipalities, Phelps Dodge, conservation organizations, Arizona Department of Transportation, U.S. Fish and Wildlife Service, U.S. Forest Service, and the Department. The partnership is now starting a group of mutual learning sessions where experts in different fields will provide training to enable partners to have a broad understanding of issues affecting forest health and potential actions. The first mutual learning session on the history of Mount Graham was presented in November.

The Department discussed the current habitat situation in Rosemont Junction with the Forest. Augusta Resource Corporation has heavily impacted the land in Rosemont Junction on the east side of the Santa Rita Mountains by road grading and test drilling. The Department has been informed by hunters that the drilling occurs constantly, accompanied with noise, bright lights, and vehicle traffic. The Forest believes these impacts are occurring on private inholdings, but the site will be rechecked for compliance.

The Department and Forest are discussing the opportunity to reintroduce bighorn sheep into the Santa Catalina Mountains. Both agencies are evaluating the reintroduction of bighorn sheep to this area since the recent Aspen fire has restored more suitable habitat conditions for wild sheep.

Kaibab National Forest

The Department and the North Kaibab Ranger District continue to work on the North Kaibab Westside Habitat Project to improve wildlife habitat through tree thinning and forage planting treatments. The Forest expects to release the decision for this project in the next few months. Collection of local plant seeds will continue to be used for habitat enhancement activities following treatments. The Department is serving on the Forest Service ID Team to help facilitate the wildlife aspect of the NEPA process.

The Department participated on a field trip to the Warm Fire area on the North Kaibab Ranger District. This was the first large field trip to the area by the major stakeholders, and the issues that were discussed include: post fire rehab activities, seeding, wildland fire use, potential or non-potential for salvage, re-vegetation, restoration, and invasive species issues. The Forest has written a post-fire assessment report and a special Enterprise Team has been assigned for the next portion of the analysis that addresses post fire activities and all aspects of rehabilitation. The eastern portion of the fire affected high value mule deer habitat, and the Department is concerned with the establishment of cheatgrass and overall recovery of important deer browse species. Initial discussion considered contour felling of juniper and pinyon to aid in soil stability and plant regeneration. Another field trip to the area is scheduled to discuss all possibilities and alternatives for restoration.

The Coconino and Kaibab National Forests conducted public meetings on the revision of their Forest plans and are in the process of identifying issues, concerns and opportunities that can be carried forward to the next stage of planning. Both Forests are proceeding with meetings on the Travel Management Rule. At this time, the Department is currently reviewing forest maps and identifying important public access and administrative routes that will be used in developing recommendations to the Forests. A wet road system has been proposed that could be managed to provide access under most weather conditions.

Prescott National Forest

The Department, Forest and BLM developed a conceptual plan for grassland habitat restoration in the Agua Fria and Prescott areas. A general plan will be developed as a framework for NEPA analysis and inclusion in land management plans and to provide guidance and priority for project funding.

BUREAU OF LAND MANAGEMENT

Arizona Strip Field Office

The Department, NAU's Environmental Restoration Institute and BLM's Strip District participated in a joint field trip to discuss general restoration prescription treatments and several projects in more detail. Some changes in procedures were agreed upon to improve consistency and future coordination efforts in the future.

Kingman Field Office

The Department met with BLM regarding the completion of an allotment evaluation for Big Ranch A (Arizona Acreages LLC, permittee). The BLM committed to have a draft completed by the end of December 2006. The Department protested the initial evaluation in 2003 and continues to work with BLM to resolve those issues.

The BLM received a notice of concern from the Hualapai Nation regarding cultural resource concerns with the proposed 7,000 acre prescribed burn in Iron Basin south of Grand Canyon West. The project is a cooperative effort between the Department and the BLM and is intended to benefit mule deer, and address high-risk wildfire areas. The BLM is contributing \$30,000 toward the project, and the Department has secured \$25,000 through the HPC process. The prescribed fire has been rescheduled for spring 2007 to allow the Department and BLM to work cooperatively toward resolving tribal concerns.

The Department met with managers of Grand Canyon West Ranch (Nigel Turner, permittee) to continue discussions on a project that would protect a significant spring from habitat degradation. The project was funded last year, but completion of the project was delayed since necessary survey work has not been completed. These surveys will be completed by the end of December.

The Department met with transportation officials and BLM regarding the expansion of State Route 95 from its current terminus at I-40 north of Lake Havasu City to State Route 68 east of Bullhead City. The new highway alignment follows the western foothills of the Black Mountains. The Department believes the necessary information to mitigate impacts to bighorn sheep will be obtained through the current research project on SR 68 in the Black Mountains. The proposed SR 95 expansion also poses a threat to desert tortoises along the western foothills of the Black Mountains. The Department will be presenting information on habitat preferences and tortoise population viability at the next meeting.

Tucson Field Office

The BLM and Department discussed an amendment to the Phoenix Resource Management Plan that would implement a designated travel management system in Unit 37B north of the Florence-Kelvin Highway. The Department has been working toward this OHV management goal for several years, and BLM has outlined a process to enact the plan by the end of June 2006. This plan, which is a compromise between OHV user groups and conservation interests, will conserve wildlife habitat and provide clear rules for OHV users and law enforcement officers.

BLM NATIONAL MONUMENTS

The Department continues to be involved as a Cooperative Agency in the planning efforts for the five national monuments and the adjacent BLM landscapes, through direct participation in meetings and workshops or by reviewing draft documents and providing verbal and written comments. The Department continues to meet with the BLM State Office to discuss direction regarding consistency issues pertaining to transportation, recreation, and management of lands containing wilderness characteristics, among other resources. The Department supports consistent directives and is working with BLM to ensure they are incorporated into the planning efforts for each Field Office. The Department continues to work with the BLM State Office to finalize the statewide MOU consistent with Commission direction.

Grand Canyon-Parashant National Monument

The public review period ended on March 17, 2006 for the draft RMP/EIS. The plan includes the identification of a series of unique route-networks designed for each alternative concept, including the preferred alternative. The Department continues to participate in Cooperating Agency and public meetings and provided input and comments throughout the public comment

period. The Department continues to work closely with BLM at both the Field Office and State Office levels to address comments submitted regarding wildlife and wildlife management.

Vermillion Cliffs National Monument

The planning efforts for the Vermillion Cliffs NM are incorporated into planning efforts for the entire Arizona Strip District.

Agua Fria National Monument

The public review period ended on April 5, 2006 for the draft RMP/EIS. The Department will be working closely with BLM to address any comments submitted regarding wildlife and wildlife management.

Sonoran Desert National Monument

The Phoenix Field Office continues to work on finalizing the range of alternatives along with the development of a preliminary preferred alternative. The Department continues to participate in cooperative meetings and is also proactively developing comments throughout the planning process.

Ironwood Forest National Monument

The Department continues to meet with BLM to review and discuss Department comments on the latest draft range of alternatives for biological resources, grazing, recreation, water developments, transportation and public access. The Department submitted updated comments to the Field Office, and our efforts to incorporate those and additional comments into the preliminary draft alternatives will continue. The Department will also continue to review and provide comments on any updated drafts as they become available.

U.S. FISH AND WILDLIFE SERVICE

Cabeza Prieta National Wildlife Refuge

The Department continues to work cooperatively with the Service on completion of the Comprehensive Conservation Plan for the Refuge. The Department met with the Service to discuss the draft final plan and awaits release of the final plan.

DEPARTMENT OF DEFENSE

Barry M. Goldwater Range

The final EIS/INRMP for the Goldwater Range has been released to the public. No formal comments were received during the comment period and the Department of Defense recently released a draft Record of Decision for agency review and comment.

Yuma Proving Ground

The Yuma Proving Ground (YPG) is proposing to expand military training activities into Game Management Unit 41 through a withdrawal of BLM land. The YPG staff completed the initial information gathering and evaluation phase and is starting the Army's process for approval of a withdrawal. The application process will further define the purpose and need for the mission. The timeline for completion of the withdrawal process is at the end of the 2008 Congressional session. The Department will be actively participating in this process and will provide the Commission with more information on this proposal when it becomes available.

LANDOWNER RELATIONS AND PUBLIC ACCESS

Galiuro Mountains, High Creek Road

The Department began construction of the new High Creek Road in November. The roadbed has been completed, but cattle guards and new fencing must be installed before the roadway can be reopened. The new road will be completed in early December. This road will restore public access to thousands of acres of Forest and State Trust lands in the High Creek, Harrison Canyon, and Páddy's River Areas of the Galiuro Mountains. The Department applied for a special use permit with the Forest to reconnect the new road segment to the existing Forest road system.

Galiuro Mountains, Mammoth, Copper Creek, Dudleyville, and Bunker Hill

Access into the west side of the Galiuro Mountains has been steadily declining due to increased conflicts on private and State Trust lands. Within the last several years, the area has become littered with wildcat dumps. Pinal County has threatened to issue citations to the State Land Department and several area State Trust land lessees. Some landowners have locked gates in order to control access and prevent further illegal dumping and possible fines. Unfortunately, these gate closures have also closed public access to thousands of acres of public and State Trust lands. The Department met several times with landowners to discuss their concerns regarding illegal dumping, off-road travel, stolen equipment, and vandalism. The Department conducted a clean up event in the Mammoth area on October 7 in an effort to improve sportsmen-landowner relations and improve access.

Whetstone Mountain Access

The Department submitted the revision of an earlier version of an Environmental Assessment re-opening an existing road across BLM land near the Empirita Ranch. The BLM would grant a perpetual easement to the Department provided that we improve the road to BLM lands across State Trust land and install a cattle guard at the boundary.

Babocomori Mountains, Buenos Aires National Wildlife Refuge

The Department continues to work with the Refuge to establish permanent vehicular access across their property to a parking area on State Trust land outside Brown Canyon. The Department installed a kiosk in November 2006, and is working with the Refuge to develop maps and brochures for distribution at the kiosk. The Department will designate a trailhead from the parking lot on State Trust land to allow public access to hunt around the southern rim of Brown Canyon without interfering with Refuge activities. At this time, public access is not allowed inside Brown Canyon.

Aravaipa Canyon, BLM Safford

Access issues remain unchanged along Aravaipa Road at the east entrance of BLM's Aravaipa Wilderness Area. The gate to Aravaipa Canyon is presently open and access is allowed through the landowner's property. The Department and BLM will meet again in December to discuss possible alternatives to establishing perpetual public access into Aravaipa Canyon and the Santa Teresa Mountains.

Jhus Canyon, Chiricahua Mountains, Coronado National Forest

Recently, the Department received a proposal for permanent access from one of the landowners. The Department will meet onsite with the Forest and the landowners in early December to

evaluate the proposal's feasibility. The Department was able to negotiate temporary access into Jhus Canyon last year by installing a sign-in box and performing road maintenance. The landowners are willing to continue allowing access during negotiations, and the Department will provide road maintenance again this winter in exchange for another year's access.

Saw Tooth Mountains, BLM (Tucson) Ironwood Forest National Monument

The Department recently met with BLM to discuss several access alternatives into the Saw Tooth Mountains. The Department provided BLM with detailed public records on several miles of roadways that already have dedicated public easements through the Pinal County Roads Declarations of 1922. This Declaration process established 30-foot wide easements along each side of section lines in many, but not all, of the County's townships. Sportsmen have used these roads to access the Saw Tooth Mountains for decades through State Trust lands and private property.

GENERAL UPDATES

Willow Springs Development

The Department contacted the developer, but no information was provided regarding funding for water catchments as mitigation for the loss of wildlife waters within the boundaries of the new development. Pinal County had made several stipulations on the Willow Springs application for subdivision, including a requirement to work with the Department to mitigate wildlife impacts and potential future nuisance wildlife problems. The consultant completed a "wildlife management plan" for the community. The Department accepts a majority of the plan, but the developer has not yet agreed to provide adequate funding to build three new wildlife waters outside the development to replace existing water sources that will be converted to golf course water features.

Middle Gila Conservation Partnership

The Partnership received a grant from BLM to hold facilitated meetings to form a preferred alternative for a Comprehensive Transportation Management plan for Game Management Unit 37B north.

Resolution Copper Company

The Department received a sensitive species information request from a consultant for two large parcels of land in Game Management Unit 37B near Picketpost Mountain, Telegraph Canyon, and Martinez Canyon. Upon meeting with the consultant, the Department learned that Resolution Copper is evaluating the area for potential copper mining activities. The Department scheduled a meeting with Resolution Copper to understand their intentions for the area. This area provides significant public recreational opportunities and is the site of recent successful bighorn sheep (Picketpost Mountain) and native fish translocations (Martinez Canyon).

Coconino County

The Department has been working with several non-profit groups on the Wildlife Conservation Society (Doris Duke Foundation) funding grant that ties to the Comprehensive Wildlife Conservation Strategy. The Department is working with the Grand Canyon Trust to develop a spatially explicit model for cheatgrass expansion on the Kaibab Plateau. The Department is also working with the Greater Flagstaff Forest Partnership to reseed cliffrose in the Mt. Elden area, and the Arizona Wildlife Federation for fencing of ephemeral wetlands on Anderson Mesa.